

Organic Seed Non-Availability Affidavit

APPLICANT	FARM / RANCH / BUSINESS NAME (IF DIFFERENT)
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The purpose of this form is to document that the seeds and/or planting stock listed below qualify for an exemption allowing the use of non-organic seed and/or planting stock when an equivalent organically produced variety is not commercially available. Unless granted such an exemption, Montana Department of Agriculture (MDA) and National Organic Program (NOP) rules require that all annual crops be grown from organic seeds or planting stock. Pertinent NOP rules include:

§ 205.204 Seeds and planting stock practice standard. (a) The producer must use organically grown seeds, annual seedlings, and planting stock: Except, That, (1) Nonorganically produced, untreated seeds and planting stock may be used to produce an organic crop when an equivalent organically produced variety is not commercially available, Except, That, organically produced seed must be used for the production of edible sprouts;

§ 205.2 Terms defined. Commercially available. The ability to obtain a production input in an appropriate form, quality, or quantity to fulfill an essential function in a system of organic production or handling, as determined by the certifying agent in the course of reviewing the organic plan.

§ 205.103 Recordkeeping by certified operations. (b) Such records must: (4) Be sufficient to demonstrate compliance with the Act and the regulations in this part.

Complete this table for all non-organic seeds used or planned for use.				Attach additional sheets if needed.	
SEED OR PLANTING STOCK TYPE	VARIETY	QUANTITY	REASON FOR EXEMPTION (ATTACH ADDITIONAL EXPLANATION IF NEEDED)	SUPPLIERS CONTACTED (LIST NUMBERS FROM REVERSE)	
			<input type="checkbox"/> FORM <input type="checkbox"/> OTHER	<input type="checkbox"/> QUALITY 	<input type="checkbox"/> QUANTITY (LIST)
			<input type="checkbox"/> FORM <input type="checkbox"/> OTHER	<input type="checkbox"/> QUALITY 	<input type="checkbox"/> QUANTITY (LIST)
			<input type="checkbox"/> FORM <input type="checkbox"/> OTHER	<input type="checkbox"/> QUALITY 	<input type="checkbox"/> QUANTITY (LIST)
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			<input type="checkbox"/> FORM <input type="checkbox"/> OTHER	<input type="checkbox"/> QUALITY 	<input type="checkbox"/> QUANTITY (LIST)
			<input type="checkbox"/> FORM <input type="checkbox"/> OTHER	<input type="checkbox"/> QUALITY 	<input type="checkbox"/> QUANTITY (LIST)

The exemption, if granted, is for the current year only. Neither these seeds/planting stock, nor any other non-organic seeds/planting stock may be used in future years until a new exemption is granted for that year.

Montana Department of Agriculture – Organic Certification Program

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I certify that I have contacted the seed suppliers listed (on reverse) and found that the seed(s) and/or planting stock listed on this affidavit are not commercially available in an equivalent organically produced variety.

Signature of Applicant

Date

Montana Department of Agriculture – Organic Certification Program

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Please list the names and contact information of seed and/or planting stock suppliers you contacted regarding the availability of the seeds and/or planting stock listed on the reverse side of this form. Suppliers listed should handle either organic seed/planting stock or the specific type of seed and/or planting stock requested. A list of Organic Seed resources is maintained on the Organic Program website at: <http://www.agr.state.mt.us/certific/organicProgram.shtml>. If you are unable to access the list online, we will mail you a copy. Please consult the resources on this list before purchasing non-organic seeds or planting stock.

Attach additional sheets if needed.

SUPPLIER NUMBER 1:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 2:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 3:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 4:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 5:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

Additional efforts to source organic seed and/or planting stock will be expected before granting an exemption in future years. Describe your plan to obtain organic seed(s) and/or planting stock in the future: